

FILEDIN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

J.N

JUL X 8 2008

7-8-2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

United States of America ex rel.

Tyron Bowen 5

(Full name and prison number)

(Include name under which convicted)

PETITIONER

vs.

EDDIE JONES(Warden, Superintendent, or authorized
person having custody of petitioner)

RESPONDENT, and

(Fill in the following blank only if judgment
attacked imposes a sentence to commence
in the future)

ATTORNEY GENERAL OF THE STATE OF

IL

(State where judgment entered)

08cv3883

JUDGE NORGLE

MAG. JUDGE BROWN

Case Number of State Court Conviction:

06CR19598, 599, 600, 601, 602

PETITION FOR WRIT OF HABEAS CORPUS - PERSON IN STATE CUSTODY

1. Name and location of court where conviction entered: Bridgview Courthouse
COOK County
2. Date of judgment of conviction: 2-21-07
3. Offense(s) of which petitioner was convicted (list all counts with indictment numbers, if known)
06CR19598, 599, 600, 601, 602
4. Sentence(s) imposed: Boot camp
5. What was your plea? (Check one)
(A) Not guilty ()
(B) Guilty (X)
(C) Nolo contendere ()

If you pleaded guilty to one count or indictment and not guilty to another count or indictment, give details:

PART I - TRIAL AND DIRECT REVIEW

1. Kind of trial: (Check one): Jury () Judge only ☒
2. Did you testify at trial? YES () NO ☒
3. Did you appeal from the conviction or the sentence imposed? YES ☒ NO ()

(A) If you appealed, give the

- (1) Name of court: Bridgeview courthouse
- (2) Result: Judge allowed defendant to be examined for reinstatement
- (3) Date of ruling: _____
- (4) Issues raised: Doctors found inmate ~~found~~ to be unstable for bootcamp

(B) If you did not appeal, explain briefly why not:

4. Did you appeal, or seek leave to appeal, to the highest state court? YES ☒ NO ()

(A) If yes, give the

- (1) Result: My lawyer was not interested in helping
- (2) Date of ruling: _____
- (3) Issues raised: Medical Record

(B) If no, why not: _____

5. Did you petition the United States Supreme Court for a writ of *certiorari*? Yes () No ☒

If yes, give (A) date of petition: _____ (B) date *certiorari* was denied: _____

PART II - COLLATERAL PROCEEDINGS

1. With respect to this conviction or sentence, have you filed a post-conviction petition in state court?

YES ☒ NO ()

With respect to *each* post-conviction petition give the following information (use additional sheets if necessary):

A. Name of court: Bridgeview Courthouse

B. Date of filing: _____

C. Issues raised: Motion to Change Confinement

D. Did you receive an evidentiary hearing on your petition? YES () NO (☒)

E. What was the court's ruling? Out of jurisdiction

F. Date of court's ruling: _____

G. Did you appeal from the ruling on your petition? YES (☒) NO ()

H. (a) If yes, (1) what was the result? Motion Stricken

(2) date of decision: _____

(b) If no, explain briefly why not: _____

I. Did you appeal, or seek leave to appeal this decision to the highest state court?

YES () NO (☒)

(a) If yes, (1) what was the result? _____

(2) date of decision: _____

(b) If no, explain briefly why not: _____

2. With respect to this conviction or sentence, have you filed a petition in a **state court** using any other form of post-conviction procedure, such as *coram nobis* or habeas corpus? YES () NO (☒)

A. If yes, give the following information with respect to each proceeding (use separate sheets if necessary):

1. Nature of proceeding _____
2. Date petition filed _____
3. Ruling on the petition _____
4. Date of ruling _____
5. If you appealed, what was the ruling on appeal? _____
6. Date of ruling on appeal _____
7. If there was a further appeal, what was the ruling? _____
8. Date of ruling on appeal _____

3. With respect to this conviction or sentence, have you filed a previous petition for habeas corpus in **federal court**? YES () NO (☒)

A. If yes, give name of court, case title and case number: _____

B. Did the court rule on your petition? If so, state

(1) Ruling: _____

(2) Date: _____

4. With respect to this conviction or sentence, are there legal proceedings pending in any court, other than this petition? YES () NO (☒)

If yes, explain: _____

PART III - PETITIONER'S CLAIMS

1. State briefly every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. You may attach additional pages stating additional grounds and supporting facts. If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds later.

BEFORE PROCEEDING IN THE FEDERAL COURT, YOU MUST ORDINARILY FIRST EXHAUST YOUR STATE COURT REMEDIES WITH RESPECT TO EACH GROUND FOR RELIEF ASSERTED.

(A) Ground one I was held more than 48 hrs in C.P.D
Supporting facts (tell your story briefly without citing cases or law):

I was arrested August 15, 2008 10:30am I
went to Bond Court August 19 2008 1pm. I
was beaten, coerced and lied to about
being released so that I would sign
some papers.

(B) Ground two I have been raped and drugged
Supporting facts:

One of the victims whose home I was charged
with burglary is also a Correctional officer
at Joliet Prison. Who is named Osmond Rutherford
who purposely separated me from the original bootcampers
and put me in population where I should have
never been placed. Where after 3 weeks of being
raped and drugged by my cellmate I had a mental breakdown

(C) Ground three I have been denied boot camp
Supporting facts:

for being mentally unstable but I have been sent to a maximum security prison with no mental rehabilitation even though I have had another relapse they never dx me and sent me back to segregation with no plans on transferring me back to mental setting

(D) Ground four I have had 3 years added
Supporting facts:

to my sentence since I have been in Pontiac, They write me up for asking a question, They have retaliated against me because my mother has complained about me being put here and they keep lying on me.

2. Have all grounds raised in this petition been presented to the highest court having jurisdiction?

YES ☒ NO ()

3. If you answered "NO" to question (2), state briefly what grounds were not so presented and why not:

PART IV – REPRESENTATION

Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

- (A) At preliminary hearing Gary ADAIR
 (B) At arraignment and plea Gary ADAIR
 (C) At trial Gary ADAIR
 (D) At sentencing Gary ADAIR
 (E) On appeal George Pappas
 (F) In any post-conviction proceeding Zedrick Braden, Robert Kurr
 (G) Other (state): _____

PART V – FUTURE SENTENCE

Do you have any future sentence to serve following the sentence imposed by this conviction?

YES () NO ☒

Name and location of the court which imposed the sentence: _____

Date and length of sentence to be served in the future _____

WHEREFORE, petitioner prays that the court grant petitioner all relief to which he may be entitled in this proceeding.

Signed on: 7-2-08
 (Date)

 Signature of attorney (if any)

I declare under penalty of perjury that the foregoing is true and correct.

[Signature]
 (Signature of petitioner)

R59619
 (I.D. Number)

4953 S Racine
 (Address)

Chicago IL 60620

) SS.

COUNTY OF COOK)

The SEPTEMBER, 2006 Grand Jury of the
Circuit Court of Cook County.

The Grand Jurors chosen, selected and sworn, in and for the County of Cook, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that on or about JULY 27, 2006 at and within the County of Cook

TYRON BOWENS

committed the offense of RESIDENTIAL BURGLARY

in that HE, KNOWINGLY AND WITHOUT AUTHORITY, ENTERED THE DWELLING PLACE OF OSMOND RUTHERFORD, LOCATED AT 9053 SOUTH ELIZABETH, IN CHICAGO, COOK COUNTY, ILLINOIS, WITH THE INTENT TO COMMIT THEREIN A THEFT,
IN VIOLATION OF CHAPTER 720 ACT 5 SECTION 19-3
OF THE ILLINOIS COMPILED STATUTES 1992 AS AMENDED AND

contrary to the Statute and against the peace and dignity of the same People of the State of Illinois.

CHARGE ID CODE: 1120000

CASE NO. 06CR-19599

COUNT 01



Offender Name: Bowens, Tyron

ID# R 59619

Juvenile Facilities Only:

Housing Unit: _____

Correctional Counselor: _____

Psychiatrist: _____

Psych Medication: _____

Mental Health Level: _____

Recommended Mental Health Level: _____

Reason for Referral:

☒ Initial Evaluation ☐ Medication Review ☐ Mental Health Level Change ☐ Crisis Response

☐ Group Note ☐ 1:1 Note ☐ Parole Clearance ☐ Family Therapy ☐ Other _____

Subjective Data: 18 y/o male locked up 3 months

It has no Hx of prior psychiatric treatment

He reported he did not feel safe in his room

He believed his roommate drugged him and

touches him when he was sleeping

Hx of Alcohol, Cannabis abuse. Denied Hx of mental

Subjective Data: illness. Denied Hx of attempted suicide

It showed personal ideation, anxiety,

denied A-H denied IZ or HZ. He

has decreased concentration, decreased

reality testing, cooperative

Assessment/Diagnosis:

AXIS I: Psychotic D/O NOS. Alcohol Cannabis abuse

AXIS II: WAF

AXIS III: WAF

Summary and Treatment Plan:

Transfer to J-unit C.S

Reparat 2 Hs

Signature/Title: _____

Date: 4-4-07

Supervisor Signature (if applicable): _____

Date: _____

ILLINOIS DEPARTMENT OF CORRECTIONS

Offender Outpatient Progress Notes

STA NRC Center

Offender Information:

Bowens

Last Name

Tyrone

First Name

ID#:

R-59619

Date/Time	Subjective, Objective, Assessment	Plans
	Psychiatry	
4/17/07 10:30 AM	18yr BM. Says he wants to whistle to drown out voices. Hears things like "Stop trying... you're never gettin' out of here". Sleep fair. Appetite ok. Still fears his	(1) ConTCS. (2) ↑ Risperdal 3mg po BID
Meds	for over cellmate can't get to him	(3) Begin Cogentin 1mg po QAM, QHS
2up, 2 QHS Proz 20 QAM Seroace 100 QHS	at night. Reluctant to talk. MSE: (P) depressed mood, blunt affect, (P) psychomotor slowing.	(4) ↑ Prozac 40mg po QAM (5) Serenid 100mg po
6:00 PM 4-17-07	A) Schizophrenia	
	sub. note	(6) monitor behavior
	S.N.C.	Schizoid cont
	disrupt about in cell.	
	A. Close supervision	

Stateville NRC Center

Date/Time	Subjective, Objective, Assessment	Plans
	STATEVILLE NRC MENTAL HEALTH ARCS	REVISED TREATMENT
	ADDENDUM NOTE: <i>PSYCHOLOGY</i>	AND PLACE MENT
4-12-07 12:30 PM	<p>This is an 18 y/o AA male from Cook Co. who has been in the NRC since 2/23/07 as a boot camp referral. For recent weeks, he has presented with signs of psychosis including incoherent speech and behavior, persecutory delusional ideation and a sleep and appetite disturbance. He has recently become more depressed and internally preoccupied, admitting to underlying hallucinations and self destructive ideations. He has shown minimal therapeutic response to psychotropic medication and is believed to represent a risk for self harm.</p> <p><i>DX: Schizophreniform Disorder (Provisional)</i> <i>No Schizophrenia / Paranoid Type.</i></p> <p><i>[Signature]</i></p>	<p>RECOMMENDATION:</p> <p>Rec: Transfer to DSTC. If/when not eligible to participate in Boot Camp program due to his deteriorated mental health condition.</p> <p><i>[Signature]</i></p>



Tyron Bowens

Teens charged in North Beverly burglary spree

by Patrick Thomas

A summer spree of burglaries in North Beverly and beyond came to an abrupt end after 22nd District police nabbed three teens caught in the act by neighbors.

Tyron Bowens, 18, of 8953 S. Racine Ave., was arrested and charged with six counts of burglary on Aug. 15 along with two 16-year-old boys who were cited in a juvenile petition for burglary, 22nd District police said.

At about 6:45 p.m. on Aug. 15, a neighbor spotted Bowens and one of the juveniles as they entered a home through a window on the 9200 block of South Vanderpool Avenue, said 22nd District Tactical Unit Officer L. Kerr, one of the arresting officers.

The window was opened slightly, and the suspects were able to open it and push in the screen, Kerr said. But when

Department of Planning releases wish list for acquisition of properties on 95th Street

by Patrick Thomas

The city's Department of Planning and Development announced it is seeking the authority to acquire at least eight properties inside the 85th Street and Western Avenue Tax Incremental Financing (TIF) district. Whether this means the city will exercise the power of em-

inent domain to acquire those properties remains to be seen. But to some, it appears the city is pressuring property owners into making something out of their vacant buildings.

"Perhaps," said a grinning Dan Klaiber, project manager of the 95th and Western TIF district. "It is a tool to speed up development."

The properties include the following: 8834 S. Western Ave.; 8867-8869 S. Western Ave.; 9049 S. Western Ave.; 9115 S. Western Ave.; 9143 S. Western Ave.; 9315 S. Western Ave.; 2225 W. 95th St.; and 2001-2007 W. 95th St.

"We are not acquiring the property at this time, but we are adding another tool to the toolbox," Klaiber told a handful of property owners at a meeting at Ridge Park on Aug. 24.

Klaiber told the group that the city was not looking to acquire any properties overnight. Officials would prefer, in fact, (See Properties page 16)



Neighborhood gridiron rivalry revived

Captains and coaches of the football teams at Marist and Br. Rice high schools meet at midfield for the coin toss prior to the teams' first contest against each other since 2002. The Crusaders won 25-0 in front of a sellout crowd of 5,800 on Aug. 25 to even the all-time series at 15 wins apiece. See page 11 for complete

City shuts down Taco Bell for license violations

by Patrick Thomas

The city shut down a popular longstanding fast food restaurant on Western Avenue after it was discovered the restaurant had been operating without a license or a certified food manager.

Taco Bell, 10451 S. Western Ave., was closed for business on Aug. 17 until Aug. 26, city officials said.

The restaurant had been operating without a retail business license, said Rosa Escareno, spokeswoman for the city's Department of Business Affairs and Licensing. It was unknown how long the firm had operated without the required license.

When Taco Bell management officials applied for a license in February, they were rejected on two occasions because Health Department inspectors discovered the res-

Charges

(Continued from page 1)

they entered, an alarm went off, and the suspects were forced to flee the house. After alerting police, the neighbor watched as Bowers lifted one of the juveniles out of the window, and the three suspects attempted to escape, according to police.

The trio hopped a wrought-iron fence and ran into a nearby patch of woods where they hid for about a minute.

But just as they fled the woods and tried crossing the Rock Island rail tracks, Kerr and his partner, J. Alonso (the officers declined to use their full names for this report) were walking along the tracks. The three suspects led the officers on a chase for nearly two blocks until police caught the three teens on the 1700 block of West 90th Place.

Bowers and one of the juveniles were hiding under a back porch, while the third suspect tried to blend in with a crowd of younger children playing across the street, Kerr said.

He credited the neighbors who have taken an active role

in the Chicago Alternative Policing Strategy (CAPS) program and his fellow officers, including four assisting units, whose training showed its value.

"Everybody over there got involved," he said.

"We do keep in pretty good shape, and the assisting officers were great in getting there."

Although none of the thefts was extremely costly for neighbors, the arrests capped an end to a series of burglaries that had tormented area residents over the last two months.

According to Kerr, one of juveniles would act as a lookout while the other two entered homes. The suspects would walk door to door, knock, look to see if a vehicle was in the driveway or listen for a television, Kerr said. If no one answered, they would simply kick down a front or back door, he added.

"These guys would do it in broad daylight," Kerr said. "Even if you think you have enough dead bolts down, they keep kicking; that door is not going to hold."

Police said the three teens were linked to five other burglaries including the following crimes:

July 14 on the 1200 block of West 90th Street: They are accused of kicking in the front door and stealing a large jar full of change, authorities said.

July 18 on the 8900 block of South Elizabeth Street: They are accused of kicking down the front door; police had no further information on any theft.

July 19 on the 9300 block of South Hoyne Avenue: They are accused of stealing \$20 in change.

July 27 on the 9000 block of South Elizabeth Street: They are accused of kicking down the front door and stealing a large bag of change.

Aug. 7 on the 1700 block of West 100th Street: They are accused of kicking down the back door and stealing some collector swords and change.

The owner of the home on the 9200 block of South Vanderpool Avenue said a watch was missing from the house, but it was never recovered following the foot chase.

Bowers is due back in court on Sept. 12 in Far South felony Court (Br. 38). Court information for the two juvenile suspects was not available.

POLICE BLOTTER

Aug. 15—An unknown offender stole blank checks from a home on the 10800 block of South Maplewood Avenue at 11:20 a.m., police said. ***

Aug. 20—An unknown offender broke a window of a car on the 10500 block of South Hale Avenue at 5:30 p.m., police said. ***

Aug. 21—A known man threatened a man and woman during an altercation on the 11000 block of South Springfield Avenue at 5:30 p.m., police said. No arrests were made as of press time. ***

Aug. 22—A known woman stole a car on the 1600 block of West 107th Street at 9:30 a.m., police said. No arrests were made as of press time. ***

Aug. 22—An unknown offender broke a window of a bus on the 3600 block of West 103rd Street at 8 a.m., police said. ***

Aug. 23—An unknown offender broke a window and

stole a video camera, two TVs and other electronic items from a home on the 10900 block of South Troy Street between 5 p.m. on Aug. 21 and 3:30 p.m. on Aug. 23, police said. ***

Aug. 23—A known man threatened another man during an altercation on the 11200 block of South Homan Avenue at 12:05 p.m., police said. No arrests were made as of press time. ***

Aug. 23—A juvenile was arrested and turned over to youth services after being charged with burglary on the 11700 block of South Maplewood Avenue at 9:38 a.m., police said. ***

Aug. 23—Two unknown men beat up a victim on the 1600 block of West 92nd Street at 3:30 p.m., police said. ***

Aug. 24—An unknown man stole two packages of ribs from a business on the 3100 block of West 103rd Street at 10 p.m., police said.

Beverly Hills

CAR WASH

10100 S. Western

239-5600

Early Bird Special

\$5.99

CUSTOM EXTERIOR CAR WASH

Gift Certificates Available

Monday through Friday, 6am-8am and 6pm-9pm only

\$5.99 Exterior Wash

\$4.00 off

\$4.00 off

\$4.00 off

All Day Long Any Full-Service or Any Full-Service or Any Full-Service or



06CR1960101

THE PEOPLE OF THE STATE OF ILLINOIS VS.

TYRON

BOWENS

DATE	FACTS FILED
SEP 12 2006	INDICTMENT/INFORMATION FILED IN THE CLERK'S OFFICE
	PRES. JUDGE ASSIGNMENT DATE: SEP 26 2006
	BAIL PREVIOUSLY SET \$ 250,000
	composite all cases

DATE	JUDGE	ORDERS ENTERED
		NO ARRAIGNMENT
10/3/05	Stewart	ASSIGNED TO JUDGE Munson 10-3-05
10/3/05	OCT 03 2006	O.C 10/5/06
10/5/06	Stewart	Warr to Issue AB Bail
10/12/06	Stewart	W.R & Q
10/16/06	Stewart	BA 10/17/06
10/17/06	Stewart	BA 11/15/06 TIA
11/15/06	Stewart	PA 12/8/06 at
Judge Victoria A. Stewart - 1635	DEC 08 2006	BA 1/30/07
Judge Victoria A. Stewart - 1635	JAN 30 2007	PA BA 3/13/07 2/21/07
Judge Victoria A. Stewart - 1635	FEB 21 2007	By J W pgs 18 Ship to Koots & J Pre Sent 5 DNA 6 year Inc Credit 190 day S C C 10-18-08

DATE

JUDGE

ORDERS ENTERED

OBCR 19601-01

		2 yers m8R. DN 8	
		But Camp	2008 8 1 12 45
		But Camp	
		TOF 8. 9 App Rf	
Judge Victoria A. Stewart	1835 JUN 07 2007	Br 7-6 - 07 stat	
7-2-07	STEWART	MTA allowed state to writ	
		B/A 8-18-07	
7-6-07	STEWART	Br 8-18-07	
7-18-07	↓	BA 8/21/07	
8-7-07	✓	m 7/2 Allowed Cook County	But Camp
	↓	of call sent money	
		8/21/07 state	
8-31-07	✓	MD 8/9/07 (br 11)	
Judge Victoria A. Stewart	1836 SEP 07 2007	BA 8/21/07	
↓	10-12-07	order 2 st 07 to st	
		6-1 DOE - 52000	
		credit 4000 10/30/07	2008 10 30 11 58 45
		corr with	
		st 11-2-07	
✓	11-2-07	O C I E	2008 11 02 11 58 45
3-11-08	stewart	Motion struck left not	
		present	

THE PEOPLE OF THE STATE OF ILLINOIS VS. *pl*

C/ 06CR1959901

N/

TYRON

BOWENS

DATE	PA
9-11-06	INDICTMENT/INFORMATION FILED IN THE CLERK'S OFFICE
	PRES. JUDGE ASSIGNMENT DATE: 9-26-06
	BAIL PREVIOUSLY SET \$ 250,000
	<i>consolidate all cases</i>

DATE	JUDGE	ORDERS ENTERED
		NO ARRAIGNMENT
		ASSIGNED TO JUDGE <i>Mannion 10-3-06</i>
<i>Stewart</i>	OCT 03 2006	O/C 10/5/06
10-5-06	Stewart	Wor to issue No Bail
10/12/06	Stewart	WQ & R. Bd reissn 10/16/06
10/16/06	Stewart	BA 10/17/06
10/17/06	Stewart	BA 11/15/06 # T18
Judge Victoria A. Stewart - 1635	NOV 15 2006	PA BA 12/8/06
Judge Victoria A. Stewart - 1635	DEC 08 2006	BA 1/30/07
Judge Victoria A. Stewart - 1635	JAN 30 2007	PA BA 3/13/07 2/21/07
2-21-07	Stewart	By TW bye 18 Trip to <i>Fast</i> for the sent <i>Wanna</i> DNA 6 year <i>Ipoc</i> credit 190 CCJ +25 AS 2 year MBR.

Bu 7-60 → 1

7-2-07	STEWART	MTA allowed State to visit B/A 8-18-07
--------	---------	---

T-6-07	Stewart	Bo	8/18/07
--------	---------	----	---------

7-1801	Stewart	BN	8/21/07	Sent Moberg
		Spurta	8/21/07	

8-9-07	✓	Rock Country Book Camp
		off all

8-31-07	✓	M D 9/7/07 for Allen
---------	---	----------------------

Judge Victoria A. Stewart 1035 SEP 07 2007

BB 11/02/07

7205 90 02 303 - new to a small extent

16-12-07

order of 2-2107 TV St

67N 100C - 5200

credit 423 Dec

correct strike 11-2-07

11-2-27

O C E

THE PEOPLE OF THE STATE OF ILLINOIS VS. *P.3*CASE
NO.*BOWENS*
86 CN 195 99

DATE

PAPERS FILED

INDICTMENT/INFORMATION FILED IN THE CLERK'S OFFICE

PRES. JUDGE ASSIGNMENT DATE: _____

BAIL PREVIOUSLY SET \$ _____

DATE

JUDGE

ORDERS ENTERED

~~NO ARRAIGNMENT~~~~ASSIGNED TO JUDGE~~*3-11-08**Steward**Motion Struck**DEF NOT Present**4-30-08**↓**Mo Demand*